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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/812,551 | 03/29/2004 | Claudio Bucolo | P03491 | 3392 |
| 23702 7590 11/02/2009 Bausch & Lomb Incorporated One Bausch & Lomb Place Rochester, NY 14604-2701 | | | | |
| EXAMINER | | | | |
| PACKARD, BENJAMIN J | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 1612 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

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|---------------------------------|-------------|---|---------------------|
| 10812551 | 3/29/2004 | BUCOLO ET AL. | P03491 |

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EXAMINER

Benjamin Packard

| ART UNIT | PAPER |
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1612 20091028

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Commissioner for Patents

The reply brief filed 10/19/09 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin Packard whose telephone number is 571-270-3440. The examiner can normally be reached on M-F 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frederick Krass can be reached on 571-272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frederick Krass/
Supervisory Patent Examiner, Art Unit 1612

/Benjamin Packard/
Examiner, Art Unit 1612